

TONY WEST
Assistant Attorney General
MELINDA HAAG
United States Attorney
ELIZABETH J. SHAPIRO
Deputy Branch Director, Federal Programs Branch
Civil Division
NICHOLAS CARTIER, CA Bar #235858
Trial Attorney, Federal Programs Branch
Civil Division
20 Massachusetts Ave NW, 7224
PO Box 883 (US Mail)
Washington, DC 20530
Tel: 202-616-8351
Fax: 202-616-8470
email: nicholas.cartier@usdoj.gov
Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ELECTRONIC FRONTIER FOUNDATION,

Plaintiff,

vs.

DEPARTMENT OF JUSTICE,

Defendant.

Case No. 10-CV-4892-RS

**STIPULATED REQUEST FOR ORDER
TO CONTINUE DEADLINE FOR
DEFENDANT’S REPLY BRIEF BY
ONE DAY**

[CIV. L.R. 6-2]

Defendant’s reply brief in support of its motion for summary judgment is due today, April 26, 2012. *See* 4/10/12 Order (ECF No. 47). Pursuant to Fed. R. Civ. P. 6(b)(1) and Civil L.R. 6-2, the parties, by and through their undersigned counsel, have conferred and hereby stipulate to and respectfully request the Court grant a one-day extension of this deadline. *See* 4/10/12 Order (ECF No. 47). The new schedule as proposed by the parties is as follows:

1 Defendant files an Opposition to Plaintiff's Cross-Motion
2 for Summary Judgment and Reply in support of
its Motion for Summary Judgment

April 27, 2012

3 Plaintiff files a Reply in support of its
4 Cross-Motion for Summary Judgment

May 17, 2010

5 Hearing on cross motions.

May 31, 2012

6
7 The requested changed will not affect any other dates in the present schedule. After
8 consultations between the parties, government counsel has agreed that Defendant will file its reply
9 brief by 3:00 p.m. Eastern Standard Time on April 27, 2012.

10 The parties have previously stipulated to a briefing schedule (ECF No. 28) and to four
11 adjustments to that briefing schedule, three to accommodate the Defendant (ECF Nos. 32, 36 and
12 45) and the other to accommodate the Plaintiff (Dkt. 34). Defendant seeks the current one-day
13 extension to enable the Criminal Division to complete work on a supplemental declaration to
14 address arguments raised in Plaintiff's cross-motion for summary judgment and opposition. The
15 unforeseen need for the extension is the result of recent severe allergies that forced agency counsel
16 for the Criminal Division to take multiple days of sick leave.

17
18 The parties respectfully request that the schedule above be adopted in place of the schedule
19 previously proposed.

20 DATED: April 26, 2012

21 /s/ Nicholas Cartier
NICHOLAS CARTIER, CA Bar #235858
22 Trial Attorney, Federal Programs Branch
Civil Division
20 Massachusetts Ave NW, 7224
23 Washington, DC 20044
Tel: 202-616-8351
24 Fax: 202-616-8470
email: nicholas.cartier@usdoj.gov
25 *Attorney for Defendant*

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2012, I caused a copy of the foregoing to be served on Plaintiff via the Court's ECF system.

/s/ Nicholas Cartier
NICHOLAS CARTIER

GENERAL ORDER NO. 45(X) CERTIFICATION

I attest that I have obtained the concurrence of Jennifer Lynch, counsel for Plaintiff, in the filing of this document.

/s/ Nicholas Cartier
NICHOLAS CARTIER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/26/12


Hon. Richard Seeborg
United States District Judge